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6 *Attorneys for Plaintiff*

7  
8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 MARCUS WILLIAMS,

11  
12 Plaintiff,

13 vs.

14 SAVE MART SUPERMARKETS,

15 Defendant.  
16

**Case No. 3:20-cv-01300-JCS**

**STIPULATION AND ~~PROPOSED~~  
ORDER TO DISMISS ACTION**

17 WHEREAS, on or about July 3, 2019, Plaintiff filed the instant action  
18 against Defendant in the Superior Court of California;

19 WHEREAS, Plaintiff filed this putative class action in state court and  
20 Defendant removed this matter to federal court;

21 WHEREAS, neither a summary judgment motion, nor a class certification  
22 motion has been filed;

23 WHEREAS, the Parties have resolved the instant action on a non-class and  
24 individual basis, not affecting the rights of any absent and/or unnamed class  
25 member other than each person receiving the benefits of the remediation obtained  
26 at the locations identified in the Complaint as a result of the individual settlement  
27 and filed a Notice of Settlement;  
28

1 WHEREAS, the Court sua sponte dismissed the action without prejudice and  
2 the parties memorialized the individual settlement.

3 IT IS HEREBY STIPULATED by and between Plaintiff and Defendant that  
4 the above-captioned action be and hereby is dismissed with prejudice and without  
5 costs or fees as to plaintiff Marcus Williams only, and dismissed without prejudice  
6 as to any other person who could have been a member of the class alleged in the  
7 Complaint.

8 **ORDER**

9 IT IS SO ORDERED.


10 Dated: July 28, 2020

11   
12 HONORABLE VINCE CHHABRIA  
13 UNITED STATES DISTRICT COURT JUDGE

14 Stipulated By and Between:

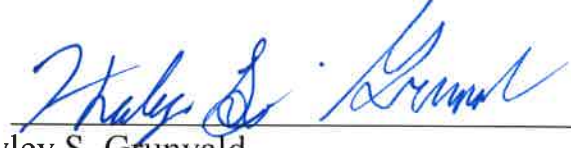

15 Dated: July 24, 2020

BRODSKY & SMITH, LLC

16  
17 By:   
18 Evan J. Smith (SBN242352)  
19 Attorneys for Plaintiff

20 Dated: July 24, 2020

SHEPPARD MULLIN

21  
22 By:    
23 Hayley S. Grunvald  
24 Attorneys for Defendant  
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